

Mr. Ward, from the committee on Enrolled Bills, reported an act to legalize the acts of the County Surveyors of the county of Cass, correctly enrolled, and that the same was signed by the Speaker of the House and President of the Senate, and presented this day to the Governor, for his examination.

On motion of Mr. Van Derlip, the Senate adjourned until 10 o'clock, to morrow morning.

TUESDAY, November 26, 1850.

The Senate was called to order by the President—Senators present :

Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Wallace presented the petition of John Edmonds ; referred to the committee on Private Land Claims.

Mr. Taylor presented the petition of John E. Linn ; referred to the committee on Private Land Claims.

Mr. Moffett, chairman of the committee on Engrossed Bills ; reported as correctly engrossed, a bill for the relief of the officers and soldiers of the First Regiment of Infantry of the late Republic of Texas.

Mr. Van Derlip, from the committee on the Judiciary, to whom was referred a bill to amend the second and seventh section of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846 ; reported a substitute therefor, and recommended its passage.

On motion of Mr. Van Derlip, the rule requiring reports to lie on the table one day, was suspended, and the report placed among the orders of the day.

Mr. Wallace, from the committee on the Judiciary, to whom was referred the petition of the citizens of Navarro county, praying to be attached to the third Judicial District ; reported the same back to the Senate, and recommended that no action be taken thereon at the present session of the Legislature.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill for the relief of Robert Love ; reported the same back to the Senate, and recommended that it be laid on the table.

On motion of Mr. Burleson, he withdrew the bill, and accompanying documents.

Mr. Wallace, chairman of the committee on Enrolled Bills; reported a bill to incorporate Rising Star Chapter, correctly enrolled.

Mr. Van Derlip introduced a bill for the relief of Peter Gallagher, and the legal Representatives of Archibald Fitzgerald and Thompson Robinson. Read first time.

On motion of Mr. Van Derlip, the rule was suspended; bill read second time and referred to the committee on Claims and Accounts.

ORDERS OF THE DAY.

A bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846, together with the report of the committee on the Judiciary, offering a substitute therefor. Read, and substitute adopted.

Mr. Gage offered the following amendment:

Strike out "Tyler and Smith county," wherever they occur, and insert "Henderson, in Rusk county."

On motion of Mr. Gage, a call of the Senate was had—the Senate being full, the amendment was rejected by the following vote:

Yeas: Messrs. Gage, Latimer, Parker, Van Derlip and Ward—5.

Nays: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Hart, Kinney, McRae, Moffett, Portis, Robertson, Taylor, Truit and Wallace—14.

Mr. Gage offered the following amendment:

Strike out every thing relative to the appointment of clerks or deputies, and insert the following:

"The Supreme Court shall appoint its own clerks."

The yeas and nays being called on the amendment, it was rejected by the following vote:

Yeas: Messrs. Gage and Taylor—2.

Nays: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Hart, Kinney, Latimer, Moffett, Parker, Portis, Robertson, Truit, Van Derlip and Wallace—15.

The bill was then passed to a third reading.

On motion of Mr. Portis, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Burleson, Cooke, Campbell, Gage, Grimes,

Kinney, Latimer, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays : None.

Mr. Robertson presented the petition of Thomas Hunt : referred to the committee on Private Land Claims.

A bill for the relief of William P. Wyche. Read second time.

Mr. McRae offered the following amendment :

"Also, a certificate for a league and labor to the legal representatives of Peter A. Duell." Adopted, and bill ordered to be engrossed.

On motion of Mr. McRae, the rule was suspended ; bill read third time and passed.

A bill for the relief of William A. Burns. Read.

On motion of Mr. Cooke, recommitted to the committee on Private Land Claims.

Mr. Moffett, chairman of the committee on Engrossed Bills ; reported a bill for the relief of William P. Wyche, and the legal representatives of Peter A. Duell, correctly engrossed.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of William A. Burns ; reported a substitute for the same, and recommended it to the favorable consideration of the Senate.

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended ; report taken up, substitute adopted, and bill ordered to be engrossed.

On motion of Mr. Cooke, the rule requiring bills to be read on three several days was suspended ; bill read third time and passed.

A message was received from the House of Representatives, informing the Senate that the House had passed the following bills, viz :

A bill concerning the book or register of land certificates, issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid, but the book has subsequently been found, and identified as genuine and unaltered.

A bill to authorize the settlers in Petes' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contracts, where they have an interest.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company.

A bill to legalize a copy of the records in the office of the County Surveyor of the county of Washington ; and

A bill for the relief of Stokely D. Choate.

Mr. Robertson made the following report :

The joint select committee of the two Houses, to whom was referred a resolution instructing said committee to report the amount of the public debt, and a bill requiring the creditors of the State to file releases at the Comptroller's Office, against the United States, for all said debts for which the duties on imports were specially pledged; have duly considered the same, and have instructed me to report that they have procured from the Comptroller and Auditor, a statement showing the amount actually ascertained, together with the estimated amount of the unascertained debt, which statement is submitted as a part of this report.

The committee find, upon an examination of the statutes of the Republic of Texas, that the only and whole amount for which duties on imports were specially pledged, is the interest on the funded debt, created by an act of the Congress of the Republic of Texas, on the seventh day of June, 1837.

The committee deem it proper to remark that there is a class of claims which has been presented at the Auditor's office for spoliation, for property taken and destroyed by both the enemy and our own army during our revolution, upon which no action has been taken by the Auditorial board, and the limited time allowed the committee for the discharge of the duty imposed upon them, has prevented a thorough examination into said class of claims; they therefore, leave this class to be disposed of by future legislation, without any expression of opinion on their part.

The list of persons owning consolidated stock, created by act of the 7th June, 1837, which was classified by the Auditor and Comptroller at 70 cents on the dollar, and which should be allowed at par, as shown in the report of the Comptroller and Auditor, and marked "F," we are induced to believe are a special class, and in the opinion of a majority of the committee, should be paid at par; but for the want of time to examine each individual claim, the committee would recommend that the same be passed over for the present, subject to future legislation.

In conclusion, the committee report herewith a bill and recommend its passage. All of which, is respectfully submitted.

J. B. ROBERTSON, Chairman

on part of the Senate.

D. M. STAPP, Chairman

on part of the House

STATEMENT of the class and amount of debt of the late Republic of Texas, filed and receipted for by the Auditor and Comptroller to the 20th of November, 1850, under the provisions of an act approved March 20th, 1848.

FIRST CLASS.

	Ostensible value of filed debt.	Rate.	Par value of filed debt.
10 per cent. Consolidated fund, created by act of June 7, 1837,	\$580,787 69	70cts.	\$406,551 38
10 " " Consolidated fund, issued to Swartwout and others,	6,363 50	100cts.	6,363 50
10 " " Bonds issued by Commissioners under the five million loan acts,	653,287 00	various.	497,953 50
10 " " Stock issued under act of February 5th, 1840,	711,800 00	30cts.	213,540 00
8 " " Stock issued under act of February 5th, 1840,	23 780 00	30cts.	7,134 00
8 " " Treasury Bonds,	656 100 00	20cts.	131,220 00
10 " " Treasury notes, 1st issue,	33,670 00	100cts.	33,670 00
10 " " do. 2d do.,	307,139 00	50cts.	153,569 50
Treasury notes not issued to bear interest,	1,640,248 00	25cts.	410,062 00
Audited paper,	59,956 09	various	55,259 46
Miscellaneous,	41,087 73	100cts.	41,087 73
Total ostensible and par principal,	\$4,714,219 01		\$1,956,411 07
Interest to 1st July, 1850, on such of the above liabilities as were issued to bear an interest,	2,407,447 69	various.	1,229,668 50
Total ostensible & par value of principal and interest of liabilities receipted for of first class,	\$7,121,666 70		\$3,186,079 57
Amount of Civil, Military and Naval claims audited, (known as 2d and 3d class claims,)	475,533 60		409,370 28
Amounts audited by special acts of the Legislature,	72,077 15	100cts.	72,077 15
Total amount of ostensible and par value of principal and interest receipted for to November 20th, 1850,	7,669,277 45		3,667,527 00
Amount of claims on file not yet receipted for,	103,000 00	100cts.	103,000 00
Total ostensible and par value of principal and interest of all claims filed or receipted for to 20th Nov., 1850,	\$7,772,877 45		\$3,770,527 00

STATEMENT showing the amount and class of debt outstanding, or which has not been filed with the Auditor and Comptroller, under the act of March, 1848, together with the rate at interest which the same was available on a par basis.

BONDS ISSUED UNDER THE FIVE MILLION LOAN ACTS.

	Ostensible value of unfiled debt.	Rate.	Par value of unfired debt.
Amount claimed by F. Dawson and others, for Naval vessels furnished, Interest on the above to 1st July, 1850,	\$560,000 00 651,000 00		
Ostensible and par value of principal and interest,	\$1,211,000 00	50cts.	\$605,500 00
Balance of interest due to 1st July, 1850, on the bonds issued to the bank of the United States, which bonds have been already filed and included in the preceding statement of claims filed,	45,738 00	87 9-20c.	40,000 00
Balance of interest to 1st July, 1850, on the bonds issued to James Holford and associates, for steamship Zavala, which bonds have been already filed and included in preceding statement of claims filed,	19,590 70	50cts.	9,795 35
Total ostensible and par value of principal and interest of above bonds under the five million loan acts not filed,	\$1,276,328 70		\$655,295 35

Treasury Notes, Stock Bonds, &c., which have not been filed under provisions of an act of March, 1848.

	Ostensible value.	Rate.	Par value.
10 per cent. Consolidated fund, created by act of June 7, 1837,	231,059 00	70cts.	161,741 30
10 " " Consolidated fund issued to Swartwout and others,	7,584 82	100cts.	7,584 82
10 " " Treasury Notes, 1st issue,	16,330 00	"	16,330 00
10 " " " " 2d "	62,861 00	50cts.	31,430 50
" " " " 3d "			
not bearing interest,	437,298 00	25cts.	109,324 50
8 & 10 per cent. Stock issued under act of Feb. 5, 1840,	81,420 00	30cts.	24,426 00
8 " " Treasury bonds,	180,780 00	20cts.	36,156 00
Audited paper,	271,697 61	100cts.	171,697 61
Total ostensible and par value of above liabilities outstanding,	1,289,030 43		658,690 73
Amount of interest on above liabilities, issued to bear interest to July 1, 1850,	498,361 54	various.	242,568 08
Total ostensible and par value of principal and interest of above liabilities outstanding,	\$1,787,391 97		\$901,258 81

UNAUDITED CLAIMS.

	Ostensible value.	Rate.	Par value.
Probable amount of Civil, Military and Naval claims, to be yet filed and audited,	\$1,485,844 92		\$1,485,844 92

RECAPITULATION OF OUTSTANDING DEBT.

	Ostensible value.	Rate	Par value.
Bonds issued under the five million loan acts, principal and interest,	1,276,338 70	various	655,295 35
Treasury notes, Stock bonds, &c., principal and interest,	1,787,391 97	"	901,258 81
Unaudited claims,	1,485,844 92		1,485,844 92
Total outstanding of principal and interest of all classes of debt,	\$4,549,565 59		\$3,042,399 08

General Recapitulation of the entire Debt, filed and unfiled.

	Ostensible value.	Rate.	Par value.
Debt filed of all descriptions as above shown, principal & interest,	7,772,877 45	various.	3,770,527 00
Debt outstanding, of all descriptions as above shown, principal and interest,	4,549,565 59	various.	3,042,399 00
Total ostensible and par value of debt of all descriptions, filed and unfiled,	\$12,322,443 04		\$6,812,926 00

COMPTROLLER'S OFFICE, }
Austin, Nov. 21, 1850. }

JAMES B. SHAW, *Comptroller.*
JOHN M. SWISHER, *Auditor.*

A bill to provide for the adjustment of the Public Debt of the late Republic of Texas. Read first time.

On motion of Mr. Van Derlip, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Senate met—quorum present.

A bill to require the Commissioner of the General Land Office to issue patents for lands therein mentioned, together with the report of the committee on Private Land Claims; was read and bill passed to a third reading.

On motion of Mr. Van Derlip, referred to the committee on the Judiciary.

A bill for the relief of the officers and soldiers of the First Regiment of Infantry of the late Republic of Texas. Read third time and rejected, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Gage, Kinney, Moffett, Portis, Robertson and Van Derlip—9.

Nays : Messrs. Campbell, Grimes, Hart, Latimer, McRae, Parker, Taylor, Truit, Ward and Wallace—10.

A bill concerning the book or register of land certificates issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid ; but the book has subsequently been found and identified as genuine and unaltered. Read first time.

On motion of Mr. Brashear, the rule was suspended ; bill read second time and referred to the committee on Public Lands.

A bill for the relief of Stokely D. Choate. Read first time.

On motion of Mr. Cooke, rule suspended ; bill read second time and referred to the committee on Private Land Claims.

A bill to legalize a copy of the records in the office of the County Surveyor of the county of Washington. Read first time.

On motion of Mr. Latimer, the rule was suspended ; bill read second time, and passed to a third reading.

On motion of Mr. Robertson, the rule was further suspended ; bill read third time and passed.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred the petition of John Edmonds ; reported the following bill, and recommended it to the favorable consideration of the Senate.

A bill for the relief of John Edmonds. Read first time.

Mr. Robertson, from the same committee, to whom was referred the petition of John E. Linn ; reported the following bill :

A bill for the relief of John E. Linn. Read first time.

Mr. Robertson, from the same committee, to which was referred a bill for the relief of Lorenzo D. Henderson, and the heirs of William Donoho, deceased, and Charles Ames ; reported the same back to the Senate, and recommended its passage.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company. Read first time.

A bill to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contract, where they have an interest. Read first time.

On motion of Mr. Hart, the rule was suspended ; bill read second time and referred to the committee on the Judiciary.

On motion of Mr. Hart, the rule requiring bills to be read on three several days, was suspended, and a bill to provide for the

final adjustment of the public debt of the late Republic of Texas, was taken up, and read second time.

On motion of Mr. Hart, 50 copies were ordered to be printed.

On motion of Mr. Wallace, the bill was laid on the table.

Mr. Burleson introduced a bill to authorize the Commissioner of the General Land Office to issue to James J. Eldridge, his heirs or assigns, a headright certificate for one-third of a league of land. Read first time.

On motion of Mr. Burleson, the rule was suspended; bill read second time, and referred to the committee on Public Lands.

Mr. Campbell introduced a bill to incorporate the town of Dallas, in Dallas county. Read first time.

On motion of Mr. Campbell, the rule was suspended; bill read second time, and referred to the committee on the Judiciary.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a joint resolution for the relief of Alanson Ferguson; reported a substitute for the same, and recommended it to the favorable consideration of the Senate.

Mr. Burleson presented the petition of the citizens of Travis county; which was on motion of Mr. Burleson, referred to a select committee.

Messrs. Burleson, Taylor and Ward were appointed said committee.

Mr. Portis, chairman of the committee on Education, to whom was referred the petition of sundry citizens of Comal county, together with a bill to establish public schools, in the county of Comal; reported the same back to the Senate, with the following amendments, and recommended their adoption, and the passage of the bill:

Amend by striking out section 10, and inserting

"SEC. 10. *Be it further enacted*, That it shall be the duty of the Chief Justice of Comal county to submit this act to a vote of the people of Comal county, on the first day of February, 1851, by notices posted up at each election precinct in said county, at least ten days before the election, and if at said election a majority of the qualified electors of said county shall vote for the ratification of said bill, then the same shall be in force and take effect from and after the first day of March, 1851.

SEC. 11. *Be it further enacted*, That all laws and parts of laws contravening the provisions of this act, be and the same are hereby repealed.

Mr. Kinney, chairman of the committee on Indian Affairs, to whom was referred a bill to prevent the sale of spiritous or

vinous liquors to Indians within the State of Texas; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended, and the above bill taken up and read.

On motion of Mr. Latimer, the second section was stricken out, by the following vote:

Yeas: Messrs. Brashear, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays: Messrs. Burleson, Cooke, Kinney, Parker and Robertson—5.

Mr. Latimer moved that the bill be so amended as to take effect on the 1st day of June next. Lost.

The bill was then ordered to be engrossed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Kinney, McRae, Parker, Portis, Robertson, Taylor, Truit, Van Derlip and Wallace—15.

Nays: Messrs. Hart, Latimer, Moffett and Ward—4.

On motion of Mr. Latimer, the rule requiring reports to lie on the table one day, was suspended, and a bill for the relief of John Edmonds was taken up; rule suspended; read second time and ordered to be engrossed.

On motion of Mr. Van Derlip, it was referred to the committee on the Judiciary.

Mr. Ward from the committee on Enrolled Bills; reported as correctly enrolled, a bill to permanently locate the seat of justice of Denton county.

A bill to repeal in part an act to incorporate the Trinity Plank Road Company, approved September 4, 1850; and

A bill to incorporate the Rising Star Chapter, Number 9; and that the same had been signed by the Speaker of the House and President of the Senate, and were presented this day to the Governor for his examination.

On motion of Mr. Burleson, the rule requiring reports to lie on the table one day, was suspended, and the report of the committee on Private Land Claims, on the petition of John E. Linn, was taken up, rule requiring bills to be read on three several days, was suspended; bill read second time and ordered to be engrossed.

Mr. Cooke, chairman of the committee on Claims and Accounts, to whom was referred a bill for the relief of Peter Gallagher, and the legal representatives of Archibald Fitzgerald and

Thompson Robinson : reported the same back to the Senate, and recommended its passage.

A message was received from the House, informing the Senate, that the House had passed a bill for the relief of Peter Lopez and Henry Tierwester ; and

A bill for the relief of Berry Merchant.

On motion of Mr. Hart, the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, November 27, 1850.

The Senate was called to order by the President—Senators present: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Portis, from the Judiciary committee, to whom was referred a bill for the relief of John Edmonds ; reported the same back to the Senate and recommended its passage.

Mr. Campbell, from the Judiciary committee, to whom was referred a bill to incorporate the town of Dallas, in Dallas county; reported the same back to the Senate, and recommended its passage.

Mr. Wallace introduced a joint resolution for the relief of John S. Roberts. Read first time.

On motion of Mr. Wallace, the rule was suspended, and resolution referred to the committee on Military Affairs.

Mr. Latimer, from the committee on Public Lands, to whom was referred a bill for the relief of John McLennan, Jr.; reported that a majority of the committee had instructed him to report it back to the Senate, and recommend its passage.

On motion of Mr. Robertson, the rule requiring reports to lie on the table one day, was suspended, and the above report taken up and placed among the orders of the day.

Mr. Robertson introduced a joint resolution, instructing our Senators, and requesting our Representatives in the Congress of the United States, to endeavor to procure the repeal of the first provision contained in the fifth proposition of the bill proposing to the State of Texas to establish her Northern and Western boundaries, and the ceding of her claim to territory exterior to said boundary. Read first time.